

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Cory R. Kambak, being first duly sworn, depose and state as follows:

I. INTRODUCTION AND AGENT BACKGROUND

I am a Special Agent (“SA”) with the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”), currently assigned to the Billings Field Office where it is my responsibility to investigate firearm and/or explosive-related offenses. I have been employed by the ATF since September, 2014 and completed the Criminal Investigator Training Program in addition to the ATF Special Agent Basic Training course at the Federal Law Enforcement Training Center (“FLETC”). Prior to becoming a Special Agent, I was a Police Officer with the Billings Police Department for six years, during which I was assigned to SWAT and the Bomb squad among other duties and assignments. During my tenure as a Special Agent I have been involved in numerous firearm and drug investigations which have entailed the interviewing of suspects and witnesses involved in firearm trafficking and possession.

Your Affiant is involved in the investigation of a suspected violation of Federal law(s) by Calvin Tyrone BOWENS (born in 1981), a convicted violent felon.

II. DESCRIPTION

1. This Affidavit is submitted in support of a Criminal Complaint requested for Calvin Tyrone BOWENS, charging him with Possession of a Firearm and/or Ammunition in violation of Title 18, United States Code, Section 922(g)(1). The statements in this Affidavit pertain to the investigation described below and are based in part on information provided by my own observations and experience as an ATF Special Agent, and the observation and experiences of other fellow law enforcement officers participating in the investigation. This Affidavit does not purport to contain all the facts related to this investigation, but only those facts necessary to establish probable cause with respect to the aforementioned offense.

III. PROBABLE CAUSE

2. On April 7, 2020, a search of BOWENS' residence located at 331 Bohl Ave. #43, Billings, MT, was conducted by Montana State Probation & Parole. Members of the Eastern Montana HIDTA task force (EMHIDTA) were also present for the search. The search of BOWENS' residence was a result of information obtained from a traffic stop earlier on this same date, during

which BOWENS admitted to being in possession of a firearm and narcotics at his residence as a convicted felon and currently on state supervision. A firearm, numerous rounds of ammunition, and narcotics (methamphetamine) were found during the search. Upon arrival on scene, ATF SA Kambak identified the pistol as a Ruger, model SR45, .45 caliber, semi-automatic pistol (S/N: 380-66470). SA Kambak secured the firearm and ammunition seized from BOWENS' residence.

3. During the first two weeks of June, surveillance was conducted by law enforcement at the Rodeway Inn motel in Billings, MT. The Rodeway Inn is known to law enforcement as a high drug trafficking area. BOWENS was observed by law enforcement at this location as he made contact with an individual who is well known to be a meth trafficker in Billings, MT.
4. On June 17, 2020, Billings Police Department Officer Wallace conducted a traffic stop on Calvin BOWENS driving his Ford Expedition. The traffic stop occurred near State Ave and Monroe Street in Billings, MT. BOWENS told Officer Wallace that there were two guns inside of the vehicle. BOWENS and the front seat passenger Joseph Leon GONZALEZ were taken from the vehicle at gunpoint and taken into custody without incident. EMHIDTA officers/investigators and Probation and Parole Agents responded to the scene of the traffic stop, and a search of the vehicle ensued.

Two firearms were located in the back of the vehicle on the floor near the center console. A crystal like substance was also found on the back floor of the vehicle, but did not test positive for a controlled substance. Upon arrival, ATF Task Force Officer (TFO) Feuerstein recovered an H&K, model USP 45, .45 ACP caliber semi-auto pistol (S/N 25-112858), loaded with a magazine containing 13 rounds of .45 ACP caliber ammunition, and a Walther, model P22, .22 caliber semi-auto pistol (S/N L051236), loaded with a magazine containing 12 rounds of .22 caliber ammunition. Both of these firearms had been reported stolen out of Billings, MT. The H&K pistol was reported stolen on 03/26/2020 and the Walther pistol was reported stolen on 06/06/2020.

5. After clearing the scene of the traffic stop, TFO Feuerstein responded to BOWENS' home address of 331 Bohl # 43, Billings, MT to assist Montana State Probation & Parole conduct a search of BOWENS' residence. Upon assisting with the search TFO Feuerstein located a small amount of possible methamphetamine contained in a "jelly" style small container in a Nike shoe box on the stove. P&P Officer Cody Carringer located two 1911 style pistol magazines in the top dresser drawer in BOWENS' bedroom. The magazines both contained ammunition and PO Carringer turned them over to TFO Feuerstein.

6. Upon returning to the ATF Billings Field Office, TFO Feuerstein examined the evidence and noticed that the H&K Pistol recovered from BOWENS' vehicle contained 12 rounds of ammunition with a nickel casings and one with brass. Upon further investigation the nickel casing ammunition appeared to be Hydro-Shock rounds which are distinct hollow point ammunition as it contains a protruding point of lead in the center of the hollow point bullet.
7. TFO Feuerstein noticed that one of the two 1911 magazines seized from BOWEN'S residence appeared to have a nickel case round of ammunition in it. TFO Feuerstein removed the ammunition from the magazine and noted that the single nickel round of ammunition appeared to also be a Hydro-Shock round and appeared to be similar, if not identical to those recovered from the vehicle. TFO Feuerstein took photographs of the evidence and secured it at the ATF Field Office.
8. On June 17, 2020 TFO Feuerstein and DEA SA Jeremy Crowther conducted a custodial interview of BOWENS at the Yellowstone County Detention Facility. BOWENS initially argued not knowing the firearms being located inside the vehicle during the traffic stop on this same date. However, BOWENS would later explain how the passenger in the vehicle (Gonzalez) pulled the firearms out of his (Gonzalez's) waistband as the BPD Officer

initiated the traffic stop. When asked if his fingerprints would be found on the firearms upon their inspection, BOWENS admitted that he had reached back into the car in an attempt to push one of the pistols back and out of view. BOWENS stated he had purchased the methamphetamine found on his person and floor of his vehicle during the most recent traffic stop as being real meth which he intended on eventually selling.

9. SA Kambak investigated BOWENS' criminal history which shows felony convictions for Stalking and Violation of Protection Order out of Roosevelt County, Montana in 2010. BOWENS is on probation as a result of the aforementioned convictions. BOWENS also appears to have several convictions for misdemeanor domestic violence out of Snohomish County, Washington. As a result, BOWENS is prohibited from possessing firearms.

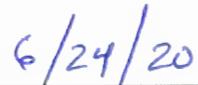
IV. CONCLUSION

1. Based on my training and experience, and the foregoing facts, I believe there is probable cause that Calvin Tyrone BOWENS violated Title 18, United States Code, Section 922(g)(1), Possession of a Firearm and/or Ammunition as a Prohibited Person on and/or before April 7, 2020, and again on and/or before June 17, 2020. The aforementioned offense occurred while in the city of Billings, in the State and District of Montana.

2. I swear that the facts presented herein are true and accurate to the best of my knowledge.



Cory R. Kambak
ATF Special Agent



Date

SUBSCRIBED TO AND SWORN BEFORE ME THIS 24 day of June,
2020.



Honorable Judge Timothy J. Cavan
United States Magistrate Judge
District of Montana